

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Charles Bradford Odom)	
)	
Plaintiff,)	
)	ORDER RE PAYMENT OF FILING
vs.)	FEES
)	
Det. Kenan Kaizer, Det. Paul Olson,)	Case No. 1:07-cv-019
Glen Valley, Asst. St. Attorney Julie)	
Lawyer and Burleigh County Detention)	
Center and Unknown Head Supervisor,)	
)	
Defendants.)	

On April 17, 2007, the plaintiff was granted leave to proceed *in forma pauperis*. Although the plaintiff is a prisoner, he must pay the statutory filing fee of \$350.00 for this action pursuant to 28 U.S.C. § 1915(b)(1).

No **partial filing fee will be** assessed for this action pursuant to 28 U.S.C. § 1915(b)(1). However, the plaintiff will be obligated to make monthly payments in the amount as determined by 28 U.S.C. § 1915(b)(2) until said filing fee is paid in full. The full fee will be collected even if the court dismisses the case because it is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks money damages against a defendant who is immune from such relief. See 28 U.S.C. § 1915(e)(2); 28 U.S.C. § 1915(A).

Accordingly, **IT IS HEREBY ORDERED** that:

1. The plaintiff is assessed an initial partial filing fee of \$0. See 28 U.S.C. § 1915(b).
2. The remaining filing fee owed shall be paid to the Clerk of this Court from the plaintiff's inmate spending account or release aid account in accordance with 28 U.S.C. § 1915(b)(2), which requires the prisoner to make monthly payments of 20

percent of the preceding month's income credited to the accounts. In order to satisfy its obligation under § 1915(b)(2), the institution where the plaintiff is incarcerated may withhold each month 20% of the prisoner's current income not to exceed 20% of the prisoner's income from the preceding month in order to make the required payments. Such payment shall be made each time the amount in the inmate spending account or release aid account exceeds \$10.00 and continue until the statutory fee of \$350.00 is paid in full.

3. A notice of this obligation shall be sent to plaintiff, the appropriate prison official, and the Attorney General..

Dated this 14th day of July, 2008.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge